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TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

EXAMINER

MOORMAN, EARL J

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 02/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/642,203

Applicant(s)

GILLESPIE ET AL.

Examiner

Earl J. Moorman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 August 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Drawings*

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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3. **Claims 1-2, 11, 13, and 21-23** are rejected under 35 U.S.C. 102(e) as being anticipated by Hallenstal [U.S. Patent Number 6,125,126], hereinafter referenced as Hallenstal.

4. Regarding **claim 1**, Hallenstal teaches for use in a communication network [FIG.1 and FIG.6] including a switching center in communication with at least one alternative system, an Intelligent Peripheral (IP) [FIG.1, numeral 16], and a plurality of subscribers [FIG.1, letters A, B, and C], each subscriber having at least one Directory Number (DN) [col.2: lines 28-35], a method for conditionally forwarding a call [see abstract], comprising providing a service location register in communication with the switching center [FIG.1, numeral 10], the service location register operative to retrieve stored called termination parameters for each of the subscriber's DNs, and call information for each incoming call to a DN, the call termination parameters including call forwarding features [col.4: lines 10-45]; detecting a busy or no answer condition for a call to a DN [col.2: lines 48-51, col.5: lines 14-16]; forwarding a request to the service location register for routing instructions [col.4: lines 54-67, col.5: lines 1-13]; applying service logic to forward the call to a Direct Inward Dialing (DID) number of a resource on the IP [col.2: lines 28-51, col.4: lines 41-54]; and applying service logic to disconnect the call or route the call to the at least one alternative system [col.2: lines 52-67, col.3: lines 1-33].

5. Regarding **claim 2**, Hallenstal teaches a method wherein the switching system is a Mobile Switching System (MSC) [FIG.1, numeral 18].

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6. Regarding **claim 11**, Hallenstal further teaches a method wherein the at least one alternative system comprises a Voice Messaging System [col.4: lines 34-38].

7. Regarding **claim 13**, Hallenstal teaches a method wherein the switching system is a Mobile Switching System (MSC) [FIG.1, numeral 18].

8. Regarding **claim 21**, Hallenstal teaches for use in a communication network [FIG.1 and FIG.6] including at least one alternative system, an Intelligent Peripheral (IP) [FIG.1, numeral 16], and a plurality of subscribers [FIG.1, letters A, B, and C], each subscriber having at least one Directory Number (DN) [col.2: lines 28-35], a system for conditionally forwarding a call [see abstract] comprising a switching center in communication with the at least one alternative system [FIG.1, numeral 10], the switching center operative to detect a busy or no answer condition for a call to a DN [col.2: lines 48-51, col.5: lines 14-16] and forward a request for routing instructions [col.4: lines 54-67, col.5: lines 1-13] and providing a service location register in communication with the switching center [FIG.1, numeral 10], the service location register operative to retrieve stored called termination parameters for each of the subscriber's DNs, and call information for each incoming call to a DN, the call termination parameters including call forwarding features [col.4: lines 10-45], the service location register further operative to apply service logic to receive the request for routing instructions from the switching center, apply service logic to forward the call to a Direct inward Dialing (DID) number or a resource on the IP and disconnect the call or route the call to the at least one alternative system [col.2: lines 28-67, col.3: lines 1-33, col.4: lines 41-67, col.5: lines 1-13].

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9. Regarding **claim 22**, Hallenstal teaches a system wherein the switching center is a Mobile Switching Center (MSC) [FIG.1, numeral 18].
10. Regarding **claim 23**, Hallenstal further teaches a system wherein the at least one alternative system is a Voice Messaging System [col.4: lines 34-38].

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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12. **Claims 3, 12 and 24** are rejected under 35 U.S.C. 103(a) as being unpatenable over Hallenstal in view of Youngs et al. [U.S. Patent Number 6,522,886], hereinafter referenced as Youngs et al.

13. Regarding **claim 3**, Hallenstal does not specifically teach a method wherein the service location register is a Wireless Service Location Register (WSLR). However, Youngs et al. teaches a method wherein the service location register is a Wireless Service Location Register (WSLR) [FIG.1, numeral 30; col.3: lines 39-55].

Therefore, it would have been obvious at the time that the invention was made that a person having ordinary skill in the art would include a Wireless Service Location Register as the location register in order to retrieve stored call or incoming call information and call termination parameters to efficient route calls with the proper instructions.

14. Regarding **claim 12**, Hallenstal teaches for use in a wireless communication network [FIG.1 and FIG.6] including a switching center in communication with at least one voice messaging system, an Intelligent Peripheral (IP) [FIG.1, numeral 16], and a plurality of subscribers [FIG.1, letters A, B, and C], each subscriber having at least one Directory Number (DN) [col.2: lines 28-35], a method for conditionally forwarding a call [see abstract], the call termination parameters including call forwarding features [col.4: lines 10-45]; detecting a busy or no answer condition for a call to a DN [col.2: lines 48-51, col.5: lines 14-16]; forwarding a request to the WLSR [also called a wireless SCP as stated in specification, FIG.6, numeral 136] for routing instructions [col.4: lines 54-67, col.5: lines 1-13]; applying service logic to forward the call to a Direct Inward Dialing

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(DID) number of a resource on the IP [col.2: lines 28-51, col.4: lines 41-54]; and applying service logic to disconnect the call or route the call to the at least one voice messaging system [col.2: lines 52-67, col.3: lines 1-33, col.8: lines 18-21].

However Hallenstal fails to teach a method comprising providing a Wireless Service Location Register (WSLR) in communication with the switching center, the WSLR operative to retrieve stored called termination parameters for each of the subscriber's DNs, and call information for each incoming call to a DN. Youngs et al. teaches a method comprising providing a Wireless Service Location Register (WSLR) [FIG.1, numeral 30] in communication with the switching center [FIG.1, numeral 22], the WSLR operative to retrieve stored called termination parameters for each of the subscriber's DNs, and call information for each incoming call to a DN [col.3: lines 39-60].

Therefore, it would have been obvious at the time that the invention was made that a person having ordinary skill in the art would include a Wireless Service Location Register as the location register in order to retrieve stored call or incoming call information and call termination parameters to efficient route calls with the proper instructions.

15. Regarding **claim 24**, Hallenstal does not specifically teach a system wherein the service location register is a Wireless Service Location Register (WSLR). However, Youngs et al. teaches a system wherein the service location register is a Wireless Service Location Register (WSLR) [FIG.1, numeral 30; col.3: lines 39-55].



Therefore, it would have been obvious at the time that the invention was made that a person having ordinary skill in the art would include a Wireless Service Location Register as the location register in order to retrieve stored call or incoming call information and call termination parameters to efficient route calls with the proper instructions.

16. **Claims 4-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hallenstal in view of Brennan et al. [U.S. Patent Number 5,329,578], hereinafter referenced as Brennan et al.

17. Regarding **claim 4**, Hallenstal does not specifically teach a method wherein the step of applying service logic includes determining based on the calling party Directory Number if the call is a business or a personal call.

However, Brennan et al. teaches a method wherein the step of applying service logic includes determining based on the calling party Directory Number if the call is a business or a personal call [abstract, col.1: lines 39-51, col.6: lines 5-30].

Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify Hallenstal to include Brennan et al. in order to effectively manage incoming business or personal calls.

18. Regarding **claim 5**, Hallenstal does not specifically teach a method wherein the call is forwarded to a first alternative system if the call is a business call and the call is forwarded to a second alternative system if the call is a personal call.

However Brennan et al. teaches a method wherein the call is forwarded to a first alternative system if the call is a business call and the call is forwarded to a second alternative system if the call is a personal call [abstract, col.1: lines 39-51, col.4: lines 19-35, col.6: lines 5-30].

Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify Hallenstal to include Brennan et al. in order to effectively manage incoming business or personal calls.

19. Regarding **claim 6**, Hallenstal does not specifically teach a method wherein the step of applying service logic includes determining if the calling party directory number has been restricted.

However, Brennan et al. teaches a method wherein the step of applying service logic includes determining if the calling party directory number has been restricted [abstract, col.1: lines 39-51, col.3: lines 62-68, col.4: lines 1-4, col.4: lines 67-68, col.5: lines 1-59].

Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify Hallenstal to include Brennan et al. in order to effectively forward and manage unwanted calls.

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20. Regarding **claim 7**, Hallenstal fails to teach a method wherein the call is forwarded to the at least one alternative system only if the calling party directory number is unrestricted.

However, Brennan et al. teaches a method wherein the call is forwarded to the at least one alternative system only if the calling party directory number is unrestricted [abstract, col.1: lines 39-51, col.3: lines 62-68, col.4: lines 1-4, col.4: lines 67-68, col.5: lines 1-59].

Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify Hallenstal to include Brennan et al. in order to effectively forward and manage calls based on the unrestricted calling party's directory number.

21. Regarding **claim 8**, Hallenstal fails to teach a method wherein the step of applying service logic includes determining the time of day the call was placed.

However, Brennan et al. teaches a method wherein the step of applying service logic includes determining the time of day the call was placed [abstract, col.2: lines 55-60, col.6: lines 47-68, col.7: lines 1-25].

Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify Hallenstal to include Brennan et al. in

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order to effectively forward and manage calls based on the time of day that the call was placed.

22. Regarding **claim 9**, Hallenstal fails to teach a method wherein the step of applying service logic includes determining the day of the week the call was placed.

However, Brennan et al. teaches a method wherein the step of applying service logic includes determining the day of the week the call was placed [abstract, col.2: lines 55-60, col.6: lines 47-68, col.7: lines 1-25].

Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify Hallenstal to include Brennan et al. in order to effectively forward and manage calls based on the day of the week that the call was placed.

23. Regarding **claim 10**, Hallenstal fails to teach a method wherein the step of applying service logic includes determining the date the call was placed.

However, Brennan et al. teaches a method wherein the step of applying service logic includes determining the date the call was placed [abstract, col.2: lines 55-60, col.6: lines 47-68, col.7: lines 1-25].

Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify Hallenstal to include Brennan et al. in

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order to effectively forward and manage calls based on the date that the call was placed.

24. **Claims 14-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hallenstal in view of Youngs et al. and further in view of Brennan et al.

25. Regarding **claim 14**, the combination of Hallenstal and Youngs et al. fails to teach a method wherein the step of applying service logic includes determining based on the calling party Directory Number if the call is a business or a personal call.

However, Brennan et al. teaches a method wherein the step of applying service logic includes determining based on the calling party Directory Number if the call is a business or a personal call [abstract, col.1: lines 39-51, col.6: lines 5-30].

Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the combination of Hallenstal and Youngs et al. to include Brennan et al. in order to effectively manage incoming business or personal calls.

26. Regarding **claim 15**, the combination of Hallenstal and Youngs et al. fails to teach a method wherein the call is forwarded to a first voice messaging system if the call is a business call and the call is forwarded to a second voice messaging system if the call is a personal call.

However, Brennan et al. teaches a method wherein the call is forwarded to a first

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voice messaging system if the call is a business call and the call is forwarded to a second voice messaging system if the call is a personal call [abstract, col.1: lines 39-51, col.4: lines 19-35, col.6: lines 5-30].

Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the combination of Hallenstal and Youngs et al. to include Brennan et al. in order to effectively manage incoming business or personal calls.

27. Regarding **claim 16**, the combination of Hallenstal and Youngs et al. fails to teach a method wherein the step of applying service logic includes determining if the calling party directory number has been restricted.

However, Brennan et al. teaches a method wherein the step of applying service logic includes determining if the calling party directory number has been restricted [abstract, col.1: lines 39-51, col.3: lines 62-68, col.4: lines 1-4, col.4: lines 67-68, col.5: lines 1-59].

Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the combination of Hallenstal and Youngs et al. to include Brennan et al. in order to effectively forward and manage unwanted calls.

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28. Regarding **claim 17**, the combination of Hallenstal and Youngs et al. fails to teach a method wherein the call is forwarded to the at least one voice messaging system only if the calling party directory number is unrestricted.

However, Brennan et al. teaches a method wherein the call is forwarded to the at least one voice messaging system only if the calling party directory number is unrestricted [abstract, col.1: lines 39-51, col.3: lines 62-68, col.4: lines 1-4, col.4: lines 67-68, col.5: lines 1-59].

Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the combination of Hallenstal and Youngs et al. to include Brennan et al. in order to effectively forward and manage calls based on the unrestricted calling party's directory number.

29. Regarding **claim 18**, the combination of Hallenstal and Youngs et al. fails to teach a method wherein the step of applying service logic includes determining the time of day the call was placed.

However, Brennan et al. teaches a method wherein the step of applying service logic includes determining the time of day the call was placed [abstract, col.2: lines 55-60, col.6: lines 47-68, col.7: lines 1-25].

Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been

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obvious to one of ordinary skill in the art to modify the combination of Hallenstal and Youngs et al. to include Brennan et al. in order to effectively forward and manage calls based on the time of day that the call was placed.

30. Regarding **claim 19**, the combination of Hallenstal and Youngs et al. fails to teach a method wherein the step of applying service logic includes determining the day of the week the call was placed.

However, Brennan et al. teaches a method wherein the step of applying service logic includes determining the day of the week the call was placed [abstract, col.2: lines 55-60, col.6: lines 47-68, col.7: lines 1-25].

Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the combination of Hallenstal and Youngs et al. to include Brennan et al. in order to effectively forward and manage calls based on the day of the week that the call was placed.

31. Regarding **claim 20**, the combination of Hallenstal and Youngs et al. fails to teach a method wherein the step of applying service logic includes determining the date the call was placed.

However, Brennan et al. teaches a method wherein the step of applying service logic includes determining the date the call was placed [abstract, col.2: lines 55-60, col.6: lines 47-68, col.7: lines 1-25].



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Hallenstal and Brennan et al. are combinable because they are from the same of endeavor, that is, a method or system for routing or forwarded calls providing incoming call management. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the combination of Hallenstal and Youngs et al. to include Brennan et al. in order to effectively forward and manage calls based on the date that the call was placed.

### ***Conclusion***

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Palviainen, U.S. Patent Number 5,920,812

Baiyor et al., U.S. Patent Number 6,445,915

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Earl J. Moorman whose telephone number is (703) 305-8158. The examiner can normally be reached on Monday-Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William G. Trost can be reached on (703) 308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-9508 for regular communications and (703) 305-9508 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Earl Moorman  
February 23, 2003

A handwritten signature in black ink, appearing to read 'W. Trost', with a long horizontal flourish extending to the right.

**WILLIAM TROST**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**